

OGC HAS REVIEWED.

OGC 8-1949

17 NOV 1958

MEMORANDUM FOR: Deputy Director (Support)

SUBJECT: Status of Agency Exception from Certain Provisions  
of the Government Employees Training Act,  
Public Law 85-507

1. The Government Employees Training Act, Public Law 85-507, was approved by the President on 7 July 1958. The Director had previously advised the Director of the Bureau of the Budget as to the Agency's position regarding this measure on 2 July. This position was, that while the Director was opposed to the inclusion of CIA in the measure, he would not object further to its approval by the President " . . . provided it is assured that this Agency will be granted the broadest possible exceptions immediately upon the bill becoming law. "

2. By letter dated 26 July, the Director transmitted to the Director of the Bureau of the Budget the Agency's draft directive excepting the CIA from certain provisions of Public Law 85-507. On 17 September, Mr. Roger Jones, Acting Director of the Bureau, proposed certain modifications to the draft directive. Inasmuch as these modifications were not unreasonable and did not materially alter the fundamental exceptions which the Agency desired, the Director indicated on 4 October that he would accept the Bureau's modifications. The 4 October letter also expressed our opinion that inasmuch as the Agency was not establishing a training program within the meaning of the provisions of Public Law 85-507,

3. On 28 October a follow-up call was made to Mr. Charles Parker, Bureau of the Budget, who said he would look into the matter. On 3 November he indicated that their legal office had raised a question on our proposed exemption from Section 2(4) of the Act. They felt that Section 2(4) is not an operative portion of the Act, and therefore our exemption from it is unnecessary. Mr. Parker was advised that this section, which states as a matter of policy that

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the Civil Service Commission, under the direction of the President, will be responsible for the coordination and promotion of Government training programs and operations, was the fundamental policy from which we wanted exemption. He was also advised that it had been our understanding that the Bureau had reviewed our original proposal and in their letter of 17 September 1958 had called attention to any items on which they disagreed. Mr. Parker attempted to explain this duplication by stating that the Executive Order function had been transferred to the legal office and hence that office was also reviewing our proposal. We emphasized our strong feelings concerning this legislation, and Mr. Parker said he would pass our reaction on to their legal office.

4. We propose to follow up further by contacting the Bureau every two weeks on this matter. If definite action is not taken by 15 December, appropriate correspondence will be prepared for the Director's signature.

s/ John S. Warner

JOHN S. WARNER  
Legislative Counsel

Distr:

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OGC/LC/GLC/cmj (7 Nov 58)